STATE OF NEW YORK

8274

2023-2024 Regular Sessions

IN ASSEMBLY

November 27, 2023

Introduced by M. of A. FAHY -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development

AN ACT to amend the parks, recreation and historic preservation law, in relation to establishing standards for trail closures on the Empire state trail

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The parks, recreation and historic preservation law is amended by adding a new section 3.27 to read as follows:

§ 3.27 Empire state trail. 1. Definitions. For the purposes of this section, the following terms shall have the following meanings:

(a) "Empire state trail" shall mean the Empire state trail network, including the Hudson river valley greenway, Erie canalway trail, and Champlain valley trail, marked with signage and identified on the office's website, as well as any future corridors to be included in the Empire state trail network; and

(b) "Multi-use trail" shall mean a trail established pursuant to section 11-0329 of the environmental conservation law by the department of environmental conservation or established by an affiliate or subsidiary of the department, or a county, city, town, village, or private entity for recreation and transportation use by pedestrians, bicyclists, and/or others utilizing non-motorized transport.

2. Trail closures. (a) The owner of any segment of non-motorized multi-use trail designated as a portion of the Empire state trail shall ensure that such segment of trail remains open when practicable for use by pedestrians, persons operating a bicycle, skating or gliding on in-line skates, or other trail users as allowed by state, local law, or regulation.

(b) If any segment of the Empire state trail requires closure due to construction or to ensure public safety, it shall be the responsibility of the public or private landowner of such segment of trail to:

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(i) Submit to the commissioner or their designee, notice of such closure, the duration of such closure, and the planned detour route; and

(ii) Ensure that signage is prominently posted to direct trail users along the detour route.

(c) The commissioner or their designee shall, upon receiving notice pursuant to this section, ensure such trail closure and planned detour route is posted on the office's website.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.